

Message Text

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ACTION EUR-12

INFO OCT-01 IO-04 ISO-00 CCO-00 CIAE-00 OTPE-00 EB-04

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PASS COMMERCE

E.O. 11652: N/A

TAGS: ETRD, EIND, ETEL, EC

SUBJECT: EC HARMONIZATION OF GOVERNMENT PROCUREMENT--THE
TELECOMMUNICATIONS SECTOR

REF: A. EC 5790 B. EC 5265

1. THE EC COMMISSION HAS SENT TO EC COUNCIL A REPORT
RECOMMENDING THE INCLUSION OF THE TELECOMMUNICATIONS
SECTOR IN THE EC COUNCIL DRAFT DIRECTIVE ON GOVERNMENT
PROCUREMENT. THE REPORT ARGUES, HOWEVER, THAT BECAUSE
OF FUNDAMENTAL DIFFERENCES IN STANDARDS, SPECIFICATIONS
AND BASIC TECHNOLOGY IN THE NATIONAL TELECOMMUNICATIONS
SYSTEMS, OPEN PROCUREMENT, AS FAR AS THE BULK OF
TELECOMMUNICATIONS EQUIPMENT IS CONCERNED, CAN ONLY BE
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ACHIEVED GRADUALLY. IT WOULD, ACCORDING TO THE REPORT,

FOLLOW HARMONIZATION OF EQUIPMENT AND SYSTEMS AT A EUROPEAN LEVEL. FOR THIS REASON, INCLUSION OF TELECOMMUNICATIONS WOULD REQUIRE CERTAIN MODIFICATIONS OF THE DRAFT PROCUREMENT DIRECTIVE WHICH WOULD EFFECTIVELY PUT OFF THE DAY WHEN TELECOMMUNICATIONS AUTHORITIES WOULD BE REQUIRED TO FOLLOW THE GENERAL RULES ON GOVERNMENT PROCUREMENT CONTAINED IN THE DRAFT DIRECTIVE.

2. ALTHOUGH WE WERE TOLD BY COMMISSION OFFICIALS THAT THE MEMBER STATES AT A WORKING GROUP MEETING ON OCT. 17-18 WERE GENERALLY FAVORABLE TO THE REPORT'S PROPOSALS REGARDING TECHNICAL AND ADMINISTRATIVE PROBLEMS, SERIOUS DIFFERENCES REMAIN ON AN ISSUE NOT DISCUSSED IN THE REPORT, NAMELY THE APPLICABILITY OF THE DRAFT DIRECTIVE TO CERTAIN NATIONAL TELECOMMUNICATIONS AUTHORITIES. THE BRITISH ARGUE THAT THE GOVERNMENT PROCUREMENT DIRECTIVE SHOULD NOT APPLY TO THEIR TELEPHONE SYSTEM SINCE IT IS NOT A GOVERNMENTAL AGENCY BUT A PUBLIC CORPORATION. WE HAVE ALSO BEEN TOLD THAT THE ITALIANS HAVE SERIOUS PROBLEMS WITH INCLUDING TELECOMMUNICATIONS IN THE DRAFT DIRECTIVE BECAUSE IT WOULD SET A PRECEDENT FOR SUBJECTING PROCUREMENT OTHER THAN FOR STRICTLY GOVERNMENT ENTITIES TO THE RULES OF THE DIRECTIVE.

3. THE REPORT WAS TRANSMITTED TO EUR/RPE ATTENTION HARDING ON OCT. 22. GREENWALD

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